

TO: Commissioner Jerry Libbin, Chair

Members of the Sustainability Committee

Dave Doebler – Appointed by Commissioner Jerry Libbin
Lanette Sobel – Appointed by Commissioner Jorge Exposito
Debra Leibowitz – Appointed by Commissioner Deede Weithorn
Liliam Furst – Appointed by Commissioner Jonah Wolfson
Luiz Rodrigues – Appointed by Commissioner Ed Tobin
Gabriole Van Bryce – Appointed by Commissioner Michael Gongora
Mitch Novick – Appointed by Mayor Matti Herrera Bower

DATE: April 16, 2013

SUBJECT: MINUTES OF THE SUSTAINABILITY COMMITTEE MEETING OF MARCH 12, 2013.

The attendees were as follows: Committee members: Dave Doebler, Lanette Sobel, Debra Leibowitz, Luiz Rodrigues, and Gabriole Van Bryce.

Absentees: Liliam Furst and Mitch Novick.

City Staff: Ellen Vargas, Park Facilities Manager; Cindy Casanova, Park Facilities Manager; Julio Magrisso, Parks and Recreation Department Assistant Director; Al Zamora, Sanitation Director; Gary Held, First Assistant City Attorney; Betsy Wheaton, Environmental Resources Manager; Margarita Wells, Environmental Specialist; and, Ariel Moger, Environmental Intern.

Guests: John Lawson, Waste Services, Inc.; Jason Neal, Waste Management; Stu Blumberg, Convention Center Advisory Board; Andrew Resnick, A Better Miami Beach, Inc.; Steven Linde, A Better Miami Beach, Inc.; and, Gayle Durham, resident.

1. Minutes Review

a. Voting on the February minutes was deferred to the April meeting.

2. Sustainability Committee Work Plan

- a. Education & Outreach Earth Hour / Hazardous Waste Event / Earth Day Celebration.
 - i. Ms. Wheaton informed the Committee of the City's upcoming events, including Earth Hour and the Hazardous Waste Event. Ms. Vargas and Ms. Casanova provided the Committee with a summary of the City's Earth Day celebration at Lummus Park.

b. Solid Waste Management – Recycling Update.

i. Mr. Lawson verified that the February 2012 and February 2013 data of properties without recycling service provided by Waste Services, Inc. is accurate and explained the discrepancy with the August 2012 data. Mr. Neal confirmed the accuracy of all the data provided by Waste Management, but cautioned that the numbers may not reflect contracts with third-party recycling haulers. Ms. Wheaton provided the Committee a revised version of the recycling letter to be sent to properties without a recycling service. The Committee reviewed the letter and provided additional revisions to be incorporated before it is mailed. ACTION: Staff

to revise the letter per the Committee's recommendations and mail it out to properties not in compliance with the City's Recycling Ordinance.

c. Air Quality and Climate Change – Clean Air Ordinance.

- i. Mr. Resnick and Mr. Linde presented to the Committee a petition to ban smoking in public enclosed spaces and places of employment, specifically in nightclubs and bars. Mr. Held indicated that existing State legislation appears to preempt municipalities from enacting contradicting ordinances. Commissioner Libbin recommended focusing on the legislation currently before the State Legislature and asked Mr. Blumberg to provide a summary of this legislation. Mr. Blumberg indicated that, if passed, the legislation will allow municipalities to restrict smoking on certain properties, among other provisions. Commissioner Libbin further recommended that the Committee urge the State to pass a new bill in the next session that will be stricter than the current bill before the Legislature. MOTION 1: The Sustainability Committee recommends that the Commission endorse and support the current legislation before the State Legislature that, if passed, will allow municipalities to restrict smoking on outdoor municipal property including beaches, providing that a smoking area is designated. Motion made by Mr. Doebler, seconded by Mr. Rodrigues. Passed unanimously. MOTION 2: The Sustainability Committee further supports and recommends that the Commission embrace A Better Miami Beach, Inc.'s petition (Attachment C) to ban smoking in enclosed places of employment, specifically in nightclubs and bars. Motion made by Ms. Leibowitz, seconded by Ms. Sobel. Passed unanimously.
- ii. Mr. Doebler suggested adopting a "Thank You For Not Smoking" campaign in order to achieve similar results to a smoking ban without having to pass any laws or ordinances that could conflict with State legislation. Mr. Doebler, Ms. Sobel, and Ms. Van Bryce all expressed interest in banning smoking on Lincoln Road and other outdoor café areas. ACTION: Mr. Held to conduct further research on the State's legislation, which appears to preempt municipalities from enacting contradicting ordinances, and on the possibility of enacting a sidewalk café smoking ban.

3. New Business

a. Ms. Durham informed the Committee of her property's recycling concerns.

Meeting adjourned at 5:54 PM.

The proceedings of this meeting have been recorded. Please contact Patricia Bocio at 305.673.7080 or pbocio@miamibeachfl.gov for more information.

JJF/RWS/ESW/MKW

 $F: WORK \\ ALL \\ (1) EMPLOYEE FOLDERS \\ BETSY WHEATON \\ SUSTAINABILITY COMMITTEE \\ AGENDA - MINUTES \\ Agenda \& Minutes \\ 2013 \\ March \\ MINUTES \\ 3 12 2013. \\ doc$